

DATE : April 9, 2015

APPEALEE NAME: Rebecca Klug, MD

Dear Dr. Klug,

Pursuant to the Marshall University Joan C. Edwards Graduate Medical Education Policy on Resident/Fellow Appeal Procedure, Section 4 Level 1 Appeal- Ad Hoc Appeals Committee met on April 8, 2015, to consider and issue an opinion on the following six questions:

- 4.10.1. *Was the resident's/fellow's performance judged using the same criteria and instruments as those used for other residents/fellows in the program?*
Yes
- 4.10.2. *Was the resident/fellow notified of the specific deficiencies to be corrected?*
No – not in writing prior to a notice of adverse action
- 4.10.3. *Was the resident/fellow instructed to correct the deficiencies?*
No – not in a written remediation plan
- 4.10.4. *Was the resident/fellow placed on formal academic remediation? (If the resident/fellow was not placed on "formal academic remediation," the program director must provide the reasons for that action)*
No – not in a written remediation plan
- 4.10.5. *Was the resident's/fellow's performance reevaluated according to the terms of the remedial program?*
No
- 4.10.6. *Was there any evidence submitted which would indicate either that the action should not be taken or otherwise be mitigated?*
Yes

Therefore, on behalf of the Level 1 Ad Hoc Appeal Committee and based upon the material and presentations provided, the Committee recommends that your request to appeal the adverse action outlined in a Warning Letter dated March 12, 2015, be granted. Granting your request for appeal does not guarantee subsequent advancement nor remove any responsibility you may have to successfully remediate any deficiencies within the required time frame according to a written plan.

Pursuant to 4.11, a copy of this official opinion is being provided to you via the preferred method of notification with electronic copy to the Vice Dean, Graduate Medical Education, the Residency Program Director and the Department of Surgery Chair.

Sincerely,

A handwritten signature in blue ink that reads "Hoyt J. Burdick, MD." The signature is written in a cursive style.

Chair, Level 1 Ad Hoc Appeal Committee

Cc: Paulette, Wehner, Vice Dean, GME
Farid Mozzafari, MD, Surgery Residency Program Director
David A. Denning, MD, Surgery Department Chair